

BRIAN J. STRETCH (CABN 163973)  
Acting United States Attorney

DAVID R. CALLAWAY (CABN 121782)  
Chief, Criminal Division

JEFFREY SHIH (CABN 296945)  
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055  
San Francisco, California 94102-3495  
Telephone: (415) 436-7168  
Email: jeffrey.shih@usdoj.gov

Attorneys for the United States of America

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	) CASE NO. 05-CR-570-WHA
	)
v.	) STIPULATIONS OF FACT
	)
MALIK WHITE,	)
	)
Defendant.	)
	)

The parties hereby submit the following stipulations of fact. Specifically, if called to testify at a hearing for revocation of supervised release, the parties agree that each of the witnesses named below would testify as follows:

Officer Daniel Rivas-Villegas: On September 19, 2015, at approximately 2:30 a.m., Union City Police Officer Rivas was on patrol and observed Malik White driving a green Ford Ranger pickup truck in the area of Decoto Road and 11<sup>th</sup> Street in Union City, California. After Officer Rivas conducted a traffic stop, Malik White consented to a blood draw, which was then completed in Officer Rivas's presence at the police station.

1        Forensic Toxicologist Judy Stewart: On September 25, 2015, Judy Stewart, an expert in the field  
2 of forensic toxicology, completed an analysis of the blood drawn from Malik White in Officer Rivas's  
3 presence on September 19, 2015. As illustrated on the attached Toxicology Report (Exhibit 1), that  
4 analysis showed that Malik White's blood alcohol content was 0.15%.

5        IT IS SO STIPULATED.

6  
7  
8  
9 DATED: 12/1/2015

BRIAN J. STRETCH  
Acting United States Attorney

  
JEFFREY SHIH  
Assistant United States Attorney

10  
11  
12  
13  
14 DATED: 12-1-15

  
MALIK WHITE  
Defendant

15  
16 DATED: 12-1-15

  
ELIZABETH FALK  
Attorney for Malik White

# EXHIBIT 1



Forensic Analytical Sciences

# Toxicology Report

Case Number  
D008855

**Client:**

Union City Police Department  
34009 Alvarado Niles Road  
Union City, CA 94587

**Case Name:**

White, Malik  
Case: 150919002  
Officer Rivas

**Requests:** Ethyl Alcohol, Cannabinoids

**Description:** Blood (two grey top tubes)

**By:** JH **Date:** 9/22/2015 **Time:** 11:07AM **Sealed:** Yes **From:** Lorri Fong-Jean

**Blood**

**Result**

**Detection Limit (ng/mL)**

Screening Analytes by Enzyme-Linked Immunoassay (ELISA)

Cannabinoids

None Detected

10

**Alcohol Analysis**

Ethyl Alcohol

0.15 %

Analyzed by Gas Chromatograph (GC)

**Drugs Analyst:**

*Jennifer C. Piper*  
Jennifer Piper

**Date:**

9/28/15

**Alcohol Analyst:**

*Judy Stewart*  
Judy Stewart

**Date:**

9/25/15

I CERTIFY, UNDER PENALTY OF PERJURY, UNDER THE LAWS OF THE STATE OF CALIFORNIA, THAT THE BLOOD/URINE ANALYSIS WAS PERFORMED DURING THE REGULAR COURSE OF MY DUTIES, AND IS A TRUE AND CORRECT COPY THEREOF. I FURTHER CERTIFY THAT I AM QUALIFIED TO PERFORM THESE ANALYSES PURSUANT TO TITLE 17 OF THE CALIFORNIA CODE OF REGULATIONS, AND THAT THE EQUIPMENT USED IN ARRIVING AT THE RESULTS WAS IN PROPER WORKING ORDER AT THE TIME I PERFORMED THE ANALYSIS. I FURTHER CERTIFY THAT A RECORD OF THE RESULT WAS RECORDED AT THE TIME OF THE ANALYSIS.

Remainder of the submitted specimen(s) is/are scheduled for discard one (1) year from date of receipt.